

THE HAMILTON COUNTY SMALL BUSINESS PROGRAM

I. Purpose:

The United States Supreme Court cases of ***City of Richmond v. J.A. Croson Company***, 488 U.S. 469, 103 L.Ed. 2d 854, 109 S. Ct. 706 (1989) and ***Adarand v. Peña*** 515 U.S. 200, 132 L.Ed. 2d 158, 115 S. Ct. 2097 (1995) have held that all government contracting programs using race-based classifications must be adjudicated under the highest constitutional standard of “strict-scrutiny”. All racial classifications are constitutional only if they are narrowly tailored measures that further a compelling government interest. The Board of Commissioners, Hamilton County, Ohio, (“Board”) finds that there is no compelling governmental interest which would meet the strict scrutiny standard. The Board does find, however, that small businesses provide employment and economic growth in Hamilton County, Ohio. The Board further finds that encouraging the participation of small business in Hamilton County construction projects undertaken by departments reporting through the County Administrator to the Board (“Project(s)”) will benefit all residents of Hamilton County, Ohio. In its efforts to promote small business participation in Hamilton County Projects, it is the policy of the Board that no contracting decision or contract award shall be based upon race, color, creed, sex, national origin, age or other unlawful basis. However, Hamilton County is an equal business opportunity governmental entity, and has always provided, and will continue to provide, equal business opportunities in accordance with this policy.

II. Definition of Small Business

“Small Business” is defined as a business concern that is independently owned and operated and which meets the detailed definitions or size standards established by the Administrator of the Small Business Administration. These size standards are attached hereto as Appendix A. In addition, those businesses that qualify as a Small Business are encouraged to become a certified minority or women-owned business, if appropriate. A Small Business can receive certification by any of the agencies listed in Appendix B, attached hereto.

III. Director of the Hamilton County Small Business Program

There shall be created within the Department of Administrative Services, the Office of the Director of the Hamilton County Small Business Program (“Program Director”). The Program Director shall generally administer the Small Business Program set out herein and make recommendations through the Director of Administrative Services and County Administrator to the Board of County Commissioners of Hamilton County to increase the level of Small Business participation in Hamilton County Projects.

IV. Duties of the Director of the Hamilton County Small Business Program

The Program Director shall work with the Hamilton County Departments and, where appropriate, the Project's construction manager, project manager or architect to do the following:

1. Identify potential Small Business prime Trade Contractors;
2. Identify potential Small Business subcontractors for prime Trade Contractors;
3. Verify compliance with the Small Business Program; and,
4. Provide assistance throughout the Project to Small Business subcontractors where such assistance may not be available from prime Trade Contractors.

V. Actions to be taken to Promote Participation of Small Businesses in Hamilton County Projects

1. Qualified Small Businesses Identification
 - a. The Program Director shall obtain, and make available listings of Small Business contractors by trade, location and bid activity.
 - b. During a Project's prebid phase, the Program Director shall initiate a comprehensive notice program. Utilizing available Small Business listings, the Program Director will provide Small Business Contractors with notice of potential prime Trade Contractor opportunities upon which the Small Business could bid.
2. Small Business Listings and Agencies with which the Program Director will use to help promote the Small Business Program:

African American Chamber Of Commerce
Cincinnati Business Incubator
Cincinnati Minority Business Development Center
Cincinnati Minority Supplier Development Council Directory
City of Cincinnati Equal Business Opportunity Program Listings
Downtown Cincinnati Inc.
Greater Cincinnati Chamber of Commerce
Hamilton County Business Center
Hamilton County Development Center
Hamilton County's Director of Small, Minority, and Female Owned Businesses
Northern Kentucky Chamber of Commerce
Small Business Incubator of Northern Kentucky University
State of Ohio and State of Indiana SBA 8(a) Contractors Listing

State of Ohio Equal Opportunity Center Listing
U.S. Small Business Administration
University of Cincinnati Small Business Development Center
Women Entrepreneurs, Inc.

3. Utilization of Small Business Listings

- a. The Program Director will make available Small Business listings to prime Trade Contractors as a resource for identifying subcontractors. Prime Trade Contractors are expected to demonstrate and document “good faith efforts” to utilize Small Businesses based upon the following criteria:

Trade or Service Area Interest
Competitive Pricing
Experience
Availability
Size
Bonding

- b. Information from the Small Business listings shall be made available to interested prime Trade Contractors and their suppliers. Potential prime Trade Contractors and their suppliers shall also be notified of pre-bid activities. Prime Trade Contractors, anticipated to submit bids, and the successful lowest and best bidder will also be provided information from the above listings.

4. Bid Package Design

The Hamilton County Department Head, or its designee in conjunction with the Program Director shall review project bid packages. Subject to competitive bidding requirements, cost effectiveness, and schedule compliance, bid packages will be designed to encourage participation by Small Business contractors as prime Trade Contractors, subcontractors and/or suppliers. A small business participation goal will be set in prime Trade Contracts where prime Trade Contractors would normally utilize subcontractors and suppliers.

5. Bid Advertisement

In addition to the formal advertisement procedures required by law, the Program Director will notify Small Businesses of contract availability by directly contacting Small Businesses or by notifying small business assistance organizations of the contract availability. The Program Director may also follow written notices of contract availability by telephone contacts with potential bidders.

6. Technical Assistance Program

The Program Director may recommend to the Board that bids be solicited for one or more technical assistance programs to help small, minority and woman owned businesses. The technical assistance programs would provide, among other things, community outreach programs, seminars on bonding, bid preparation workshops, networking, and joint venture opportunities. Any bidder selected to provide these services shall be required to submit status reports to the Program Director reporting on the programs provided, the outreach efforts, participating companies, and other pertinent information on the services provided to Small Businesses.

7. Contract Award

In an effort to encourage Small Business participation, the Board will include within the Project bid manuals; special provisions that are substantially similar to those contained in Appendix C, attached hereto. As required by the Ohio Revised Code, the Board must award all prime Trade Contracts for Hamilton County Projects to the "lowest and best" bidder, based upon announced evaluation criteria. The Program Director will work with the appropriate County staff or the County's Project Manager, Construction Manager or Architect to ensure that the following criteria will be included in the Project evaluation criteria set forth in the County's bid documents:

The Bidder is either a Small Business or agrees to meet the Small Business goals for this contract.

VI. Actions to be taken to Monitor Participation of Small Businesses in Hamilton County Public Works Projects

1. The Program Director shall explore and make recommendations to the Board through the Director of Administrative Services and County Administrator, regarding the best method to accurately monitor participation levels of small, minority owned and women owned business in the Hamilton County Projects.
2. Among other steps to be taken, on recommendation of the Program Director to the Board, an auditing firm may be employed to accurately report participation levels of small, minority owned, and women owned businesses as directed in each contract at regular intervals.
3. Each Project bid package shall require the successful bidder to accurately report the participation levels of small, minority owned, and women owned businesses on the forms substantially similar to those attached hereto as Appendix D.

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The general range of Small Business Administration (SBA) size standards by industry division follows:

Construction – General building and heavy construction contractors have a size standard of \$31 million in average annual receipts. Special trade construction contractors have a size standard of \$13 million.

Manufacturing – For approximately 75 percent of the manufacturing industries, the size standard is 500 employees. A small number have a 1,500-employee size standard and the balance have a size standard of either 750 or 1,000 employees.

Mining – All mining industries, except mining services, have a size standard of 500 employees.

Retail Trade – Most retail trade industries have a size standard of \$6.5 million in average annual receipts. A few, such as grocery stores, department stores, motor vehicle dealers and electrical appliance dealers, have higher size standards. None are above \$24.5 million.

Services – For the service industries, the most common size standard is \$6.5 million in average annual receipts. Computer programming, data processing and systems design have a size standard of \$23 million. Engineering and architectural services have different size standards, as do a few other service industries. The highest annual receipts size standard in any service industry is \$32.5 million. Research and development and environmental remediation services are the only service industries with size standards stated in number of employees.

Wholesale Trade – For all wholesale trade industries, a size standard of 100 employees is applicable for loans and other financial programs. When acting as a dealer on Federal contracts set aside for small business or issued under the 8(a) program, the size standard is 500 employees and the firm must deliver the product of a small domestic manufacturer, as set forth in SBA's non-manufacturer rule, unless waived by the SBA for a particular class of product. However, for those procurements made under the Simplified Acquisition Procedures of the FAR and where the purchase does not exceed \$25,000, the non-manufacturer may deliver the goods of any domestic manufacturer.

Other Industries – Other industry divisions include: Agriculture; transportation, communications, electric, gas, and sanitary services; and finance, insurance and real estate. Because of wide variation in the industry structure of the industries in these divisions, there is no common pattern of size standards. For specific size standards refer to the size regulations in 13 CFR § 121.201 or the table of small business size standards.

A full table of Small Business Size Standards matched to the North American Industry Classification System (NAICS) can be obtained by visiting the SBA website, **[sba.gov/size](https://www.sba.gov/size)**.

Selected Sections of the Code of Federal Regulations

§121.105 How does SBA define "business concern or concern"?

(a)(1) Except for small agricultural cooperatives, a business concern eligible for assistance from SBA as a small business is a business entity organized for profit, with a place of business located in the United States, and which operates primarily within the United States or which makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials or labor.

(2) A small agricultural cooperative is an association (corporate or otherwise) acting pursuant to the provisions of the Agricultural Marketing Act (12 U.S.C.A. 1141j) whose size does not exceed the size standard established by SBA for other similar agricultural small business concerns. A small agricultural cooperative's member shareholders are not considered to be affiliates of the cooperative by virtue of their membership in the cooperative. However, a business concern or cooperative that does not qualify as small under this part may not be a member of a small agricultural cooperative.

(b) A business concern may be in the legal form of an individual proprietorship, partnership, limited liability company, corporation, joint venture, association, trust or cooperative, except that where the form is a joint venture there can be no more than 49 percent participation by foreign business entities in the joint venture.

(c) A firm will not be treated as a separate business concern if a substantial portion of its assets and/or liabilities are the same as those of a predecessor entity. In such a case, the annual receipts and employees of the predecessor will be taken into account in determining size.

[61 FR 3286, Jan. 31, 1996, as amended at 70 FR 51248, Aug. 30, 2005]

§121.107 How does SBA determine a concern's "primary industry"?

In determining the primary industry in which a concern or a concern combined with its affiliates is engaged, SBA considers the distribution of receipts, employees and costs of doing business among the different industries in which business operations occurred for the most recently completed fiscal year. SBA may also consider other factors, such as the distribution of patents, contract awards, and assets.

§121.104 How does SBA calculate annual receipts?

(a) *Receipts* means "total income" (or in the case of a sole proprietorship, "gross income") plus "cost of goods sold" as these terms are defined and reported on Internal Revenue Service (IRS) tax return forms (such as Form 1120 for corporations; Form 1120S and Schedule K for S corporations; Form 1120, Form 1065 or Form 1040 for LLCs; Form 1065 and Schedule K for partnerships; Form 1040, Schedule F for farms; Form 1040, Schedule C for other sole proprietorships). Receipts do not include net capital gains or losses; taxes collected for and remitted to a taxing authority if included in gross or total income, such as

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sales or other taxes collected from customers and excluding taxes levied on the concern or its employees; proceeds from transactions between a concern and its domestic or foreign affiliates; and amounts collected for another by a travel agent, real estate agent, advertising agent, conference management service provider, freight forwarder or customs broker. For size determination purposes, the only exclusions from receipts are those specifically provided for in this paragraph. All other items, such as subcontractor costs, reimbursements for purchases a contractor makes at a customer's request, and employee-based costs such as payroll taxes, may not be excluded from receipts.

(1) The Federal income tax return and any amendments filed with the IRS on or before the date of self-certification must be used to determine the size status of a concern. SBA will not use tax returns or amendments filed with the IRS after the initiation of a size determination.

(2) When a concern has not filed a Federal income tax return with the IRS for a fiscal year which must be included in the period of measurement, SBA will calculate the concern's annual receipts for that year using any other available information, such as the concern's regular books of account, audited financial statements, or information contained in an affidavit by a person with personal knowledge of the facts.

(b) *Completed fiscal year* means a taxable year including any short year. "Taxable year" and "short year" have the meanings attributed to them by the IRS.

(c) *Period of measurement.* (1) Annual receipts of a concern that has been in business for three or more completed fiscal years means the total receipts of the concern over its most recently completed three fiscal years divided by three.

(2) Annual receipts of a concern which has been in business for less than three complete fiscal years means the total receipts for the period the concern has been in business divided by the number of weeks in business, multiplied by 52.

(3) Where a concern has been in business three or more complete fiscal years but has a short year as one of the years within its period of measurement, annual receipts means the total receipts for the short year and the two full fiscal years divided by the total number of weeks in the short year and the two full fiscal years, multiplied by 52.

(d) *Annual receipts of affiliates.* (1) The average annual receipts size of a business concern with affiliates is calculated by adding the average annual receipts of the business concern with the average annual receipts of each affiliate.

(2) If a concern has acquired an affiliate or been acquired as an affiliate during the applicable period of measurement or before the date on which it self-certified as small, the annual receipts used in determining size status includes the receipts of the acquired or acquiring concern. Furthermore, this aggregation applies for the entire period of measurement, not just the period after the affiliation arose.

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(3) If the business concern or an affiliate has been in business for a period of less than three years, the receipts for the fiscal year with less than a 12 month period are annualized in accordance with paragraph (c)(2) of this section. Receipts are determined for the concern and its affiliates in accordance with paragraph (c) of this section even though this may result in using a different period of measurement to calculate an affiliate's annual receipts.

(4) The annual receipts of a former affiliate are not included if affiliation ceased before the date used for determining size. This exclusion of annual receipts of a former affiliate applies during the entire period of measurement, rather than only for the period after which affiliation ceased.

(e) Unless otherwise defined in this section, all terms shall have the meaning attributed to them by the IRS.

[61 FR 3286, Jan. 31, 1996, as amended at 65 FR 48604, Aug. 9, 2000; 69 FR 29203, May 21, 2004]

§121.106 How does SBA calculate number of employees?

(a) In determining a concern's number of employees, SBA counts all individuals employed on a full-time, part-time, or other basis. This includes employees obtained from a temporary employee agency, professional employee organization or leasing concern. SBA will consider the totality of the circumstances, including criteria used by the IRS for Federal income tax purposes, in determining whether individuals are employees of a concern. Volunteers (*i.e.*, individuals who receive no compensation, including no in-kind compensation, for work performed) are not considered employees.

(b) Where the size standard is number of employees, the method for determining a concern's size includes the following principles:

(1) The average number of employees of the concern is used (including the employees of its domestic and foreign affiliates) based upon numbers of employees for each of the pay periods for the preceding completed 12 calendar months.

(2) Part-time and temporary employees are counted the same as full-time employees.

(3) If a concern has not been in business for 12 months, the average number of employees is used for each of the pay periods during which it has been in business.

(4)(i) The average number of employees of a business concern with affiliates is calculated by adding the average number of employees of the business concern with the average number of employees of each affiliate. If a concern has acquired an affiliate or been acquired as an affiliate during the applicable period of measurement or before the date on which it self-certified as small, the employees counted in determining size status include the employees of the acquired or acquiring concern. Furthermore, this aggregation applies for the entire period of measurement, not just the period after the affiliation arose.

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(ii) The employees of a former affiliate are not counted if affiliation ceased before the date used for determining size. This exclusion of employees of a former affiliate applies during the entire period of measurement, rather than only for the period after which affiliation ceased.

[61 FR 3286, Jan. 31, 1996, as amended at 69 FR 29203, May 21, 2004]

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Hamilton County, Ohio Small Business Program Recognized Certifying Agencies

City of Cincinnati
Small Business Division
Community Development and Planning
Small Business Enterprise Program
Two Centennial Plaza
805 Central Avenue, Suite 700
Cincinnati OH 45202-2033
Theresa Stark: (513) 352-3154
www.cincinnati-oh.gov/cdap/pages/-3803-/
Certifies Small Business Enterprises (SBE)

South Central Ohio Minority Business Council (SCOMBC)
Minority Business Enterprise Program Development
441 Vine Street, 300 Carew Tower
Cincinnati OH 45202-2813
(513) 579-3104
www.scombc.com
Certifies Minority Business Enterprises (MBE)

State of Ohio
Department of Administrative Services (DAS)
Equal Opportunity Division
MBE/Historically Underutilized Business Programs
30 East Broad Street, Suite 1840
Columbus OH 43215-3414
(614) 466-8380
www.state.oh.us/das/eod
Certifies MBE(s) and Historically Underutilized Business Enterprises (HUB)

U.S. Small Business Administration (SBA)
Columbus District Office
8(a) Business Development Program
2 Nationwide Plaza, Suite 1400
Columbus OH 43215-2552
(614) 469-6860
www.sba.gov/oh/columbus/medcolu.html
Certifies Disadvantaged Business Enterprises (DBE)

Women Business Enterprise National Council (WBENC)
1120 Connecticut Avenue, NW, Ste 950
Washington DC 20036-3951
(202) 872-5515 ext. 20
www.wbenc.org
or
Women's Business Enterprise Council-Southeast
88 E. Broad St., Suite 1770
Columbus, Ohio 43215
(614) 228-4150
1-866-WBE-CERT
Certifies Women Business Enterprises (WBE) and Small Women Business Enterprises (SWBE)

State of Ohio, Department of Transportation (ODOT)
Office of Contracts
Disadvantaged Business Enterprise Services Section
1980 West Broad Street, 1st Floor
Columbus OH 43223-1102
(614) 644-8436 or (800) 459-3778
http://www.dot.state.oh.us/ptrans/Other_PT_Programs/dbe.htm
Certifies Disadvantaged Business Enterprises (DBE)

**HAMILTON COUNTY
ADDITIONAL BID CONDITIONS**

1.1 GENERAL

- A. The contracting practices utilized on this project shall conform to the Board of County Commissioners Small Business Program. Compliance with County “Good Faith Efforts” to achieve contracting goals is one factor that will be considered in the determination of the award. The Small Business Program is available for review at the offices of the Owner or Construction Manager.
- B. The following documents are additional bid conditions and are supplemental to the Instructions to Bidders.

Special Provisions – Small Business Goals (Pages C2 – C8)
- C. Also see Appendix D for further detailed instructions concerning compliance with the Small Business Program.

**HAMILTON COUNTY
ADDITIONAL BID CONDITIONS**

SPECIAL PROVISIONS

SMALL BUSINESS GOALS

1. **PURPOSE:** The Contractor shall employ “GOOD FAITH EFFORTS” to achieve Hamilton County’s Small Business participation goals as part of its effort to submit the lowest and best bid. The small business goal for this contract is set forth by the Owner in the Specifications – General Requirements - Descriptions of Contracts.
2. **DEFINITIONS:** As used in this section, the following words have the meaning indicated.
 - A. “Small Business” is defined as a business concern that is independently owned and operated and meets detailed definitions or size standards established by the Administrator of the SBA (See Appendix A for general range of size standards, see www.sba.gov/size for table of specific size standards). References throughout this section to small business shall mean Small Business Enterprise (SBE).
 - B. “Contractor” means any bidder on any contract herein.
 - C. “Goal” is defined as the amount of work, material or service that in the Construction Manager’s judgment, from previous experience, would reasonably be expected to be able to be provided or performed by Small Businesses in the Greater Cincinnati Metropolitan area on a Contract similar to that which is being bid.
3. **SMALL BUSINESS CONTRACTORS**
 - A. Owner recognizes that the vast majority of firms and clients of the agencies below meet the SBA size standards.

City of Cincinnati
Small Business Enterprise Program
805 Central Avenue, Suite 700
Two Centennial Plaza
Cincinnati OH 45202-2033
(513) 352-3154

South Central Ohio Minority Business
Council
300 Carew Tower, 441 Vine Street
Cincinnati, OH 45202
(513) 579-3104
or a Regional Minority Supplier
Development Council

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State of Ohio Department of
Administrative Services
Equal Opportunity Division
30 East Broad Street, 18th Floor
Columbus, OH 43215
(614) 466-8380

Hamilton County Development
Company
1776 Mentor Avenue
Cincinnati, OH 45212
(513) 631-8292

Cincinnati Business Incubator
1634 Central Parkway
Cincinnati, OH 45210
(513) 362-2700

Small Business Development
Center (SBDC)
1111 Edison Drive
Cincinnati, OH 45216-2265
(513) 948-2000

Cincinnati Minority Business
Development Center (CMBDC)
7162 Reading Rd, Ste 630
Cincinnati, OH 45237-3844
(513) 631-7666

Greater Cincinnati Chamber of
Commerce
9545 Kenwood Road Ste 403
Cincinnati, OH 45242
(513) 579-3130

U.S. Small Business Administration
JWP Federal Building
550 Main Street, Ste 2-522
Cincinnati, OH 45202-5208
(513) 684-2814

African American Chamber of Commerce
2945 Gilbert Avenue
Cincinnati, OH 45206
(513) 751-9900

Small Business Development Center of
Northern Kentucky
University College of Business
BEP Building 463
Highland Heights, KY 41099
(859) 572-6524

Economic Development Department City
of Covington
638 Madison Avenue
Covington, KY 41011
(859) 292-2163

Clermont Small Business Development
Center
4440 Glen Este-Withamsville Road
Cincinnati, OH 45245
(513) 753-7141

Governor's Economic Development Office
524 Walnut Street, Suite 901
Cincinnati, OH 45202
(513) 852-2826

Certified Development Company of Butler
County
130 High Street
Hamilton, OH 45011
(513) 887-3402

Over the Rhine Chamber of Commerce
1305 Main Street
Cincinnati, OH 45210
(513) 241-2690

- B. Business Concerns not on the certified SBA (8a) listing may be required to submit financial information to verify Small Business status as determined by comparison to SBA's size standards. (See Appendix A for information on the calculation of annual receipts. A complete list of SBA size standards for all NAICS codes is available upon request or may be viewed on-line at **www.sba.gov/size**). Business concerns may also submit an application to the SBA office to apply for SBA (8a) certification.

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- C. Directories or above lists of contractors certified by these agencies may be obtained directly from each organization, the Construction Team Management (Attn: Small Business Consultant) or Hamilton County's Office of Small Business Development.
- D. Contractors requiring assistance in locating certified Small Business Enterprises are encouraged to contact the above offices or agencies or the Construction Manager (Attn: Small Business Consultant) or Hamilton County's Office of Small Business Development.

4. CERTIFIED MINORITY AND WOMEN OWNED CONTRACTORS

The owner encourages those businesses that qualify as a Small Business to become a certified small, minority and/or women owned business, if appropriate. A Small Business can apply for certification from one of the following agencies:

Federal SBA Department 8a
Columbus District Office
2 Nationwide Plaza, Suite 1400
Columbus, OH 43215

City of Cincinnati
SBE Program
805 Central Avenue, Suite 700
Cincinnati, OH 45202

South Central Ohio Minority Business Council (SCOMBC)
Cincinnati Minority Supplier Development Council (CMSDC)
300 Carew Tower, 441 Vine Street
Cincinnati, OH 45202

Women Business Enterprise National Council
1120 Connecticut Avenue, NW Suite 950
Washington, DC 20036

State of Ohio Department of Administrative Services
Equal Opportunity Division
30 East Broad Street, 18th Floor
Columbus, Ohio 43215

State of Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

5. **SMALL BUSINESS PROJECT GOALS**

Hamilton County in conjunction with the project's Construction Manager will establish goals for the utilization of Small Business Enterprises for each contract in the project. The goals in different contracts will differ, because under certain contracts, small business participation may not be envisioned to be possible in the same proportion. The owner encourages the use of small business firms as first-tier subcontractors and/or joint ventures.

The overall small business goal for this particular contract has been set forth in The Description of Contract, and is expressed in terms of a percentage of the total dollar value of such contract.

Inability of a Prime Contractor to meet the established Small Business Participation goal will not exclude said Contractor from award of a contract if deemed to be "Lowest and Best" bid. Refusal to employ and document "Good Faith Effort" to include Small Business Participation when requested, may be cause for non-award of contract.

6. **CONTRACTOR RESPONSIBILITIES**

A. A small business participation goal for this Contract is set forth in The Description of Contract. The Contractor agrees that he will make "Good Faith Efforts" to achieve the specified amount of the Contract to be performed by small business enterprises.

B. If awarded the Contract:

- A Contractor shall employ Best Efforts to accomplish an amount of work not less than the small business participation set forth in its Small Business Enterprise (SBE) Goal Compliance Plan.
- Indicate if any of the subcontractors utilized are minority or female owned.

C. The Contractor, by submitting its bid, consents to provide such documentation as required by the Owner or Construction Manager, and to provide right of entry at any reasonable time for the Owner's representative verifying small business participation.

D. **COMPLIANCE**

- I) Each Bidder must submit a SBE Goal Compliance Plan (refer to Appendix D) with its Bid. **Failure to submit a SBE Goal Compliance Plan with the Bid and other documentation that may be requested may result in rejection of the Bid.**

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- II) When a small business performs on more than one contract with the same prime contractor, all references to payment activity must be maintained separately for each contract.
 - A. Contractor shall indicate on the Contractor's Affidavit of Payment of Debts & Claims, Small Business Payment summaries.
 - B. Contractor shall provide information to the Owner and/or the Construction Manager, upon request, regarding small business participation. Such information may include subcontract agreements and purchase orders, canceled checks (front and back), invoices, payment verification, and certified payrolls.
- III) The Owner and/or the Construction Manager and its agents may make periodic visits to the work site to verify small business participation and control of work and workforce. The Owner and the Construction Manager may interview any member of that workforce, or the workforce of the prime.
- IV) In order to receive credit for the purchase of materials and supplies, the small business shall be certified as a supplier or shall itself purchase the materials and supplies that the small business will install and in addition, shall choose the vendor, negotiate the cost, arrange delivery of, and pay for the materials and supplies required for the work of the contract. Invoices for materials shall be invoiced to the small business firm and not to the prime contractor. The Owner may periodically review invoices for materials to confirm small business participation. Small Business suppliers of materials and supplies should count towards small business goal. The value of any supplies furnished by a Non-Certified Small Business will be separately identified in all reports.

7. GOOD FAITH EFFORT TO MEET SMALL BUSINESS PERCENTAGE GOALS

By submitting a signed bid, the Contractor certifies that it shall make "Good Faith Efforts" to achieve the established percentage goals for utilization of the small businesses as subcontractors and/or material supply or service providers appropriate to the project on which it bids.

8. WAIVER OR MODIFICATION OF SMALL BUSINESS PERCENTAGE GOALS

Where a Contractor proposes to seek a modification or waiver of the Small Business participation percentage contract goals on which it bids, the Contractor shall provide acceptable documentation to the Owner demonstrating its "Good

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Faith Efforts” to attain said small business participation percentage goals by completing Part C and/or Part D of its SBE Goal Compliance Plan. “Good Faith Efforts” may include, but are not limited, to the following:

- A. Attendance at a pre-bid meeting, if any, scheduled by Hamilton County to inform Small Businesses of subcontracting opportunities for the Contract;
- B. Written notification provided to small businesses soliciting their interest in the contract. Contractors are expected to make a good faith effort to analyze whether small businesses exist within the given Trade Contract and to document it;
- C. Written verification of Contractor’s efforts to negotiate with small business for specific bids, including:
 - 1) The names, addresses, and telephone number of small businesses that were contacted;
 - 2) A description of the information provided to small businesses regarding the plans and specifications for portions of the work to be performed.
 - 3) A statement of why additional agreements with small business were not reached;
- D. Written verification of Contractor’s effort made to assist the small businesses in obtaining bonding or required insurance.

9. DEFAULTING SMALL BUSINESS SUBCONTRACTORS, MATERIAL OR SERVICE SUPPLIER

If a small business/subcontractor, material or service supplier is unable to perform successfully, the Contractor is expected to make good faith efforts to replace said small business subcontractor, material or service supplier with another qualified small business.

10. PENALTIES

- A. Failure of a Contractor to demonstrate “Good Faith Efforts” to attain established Small Business goals may constitute grounds for Hamilton County to declare Contractor’s bid non-responsive.
- B. As with other Contract requirements, failure of the successful Contractor to carry out the Small Business assurances set forth in its Contract may constitute a breach of Contract, and after notification by Hamilton County may result in default termination of the Contract by the County.

11. RECORDS AND REPORTS

- A. The Contractor shall maintain such records as are necessary to confirm “Good Faith Effort” for small business participation. These records shall indicate the identity of the small business, minority/women owned subcontractors employed on the contract, the type of work performed by each, and the actual dollar value of work, services and procurement achieved by each Contractor and subcontractor.
- B. The Contractor shall submit information with his monthly cost breakdown for progress payments that indicate the dollar value of contracts awarded to small businesses and minority and women business enterprises as the contract work occurs. This information will be submitted as a supplement to the Cost Breakdown For Progress Payments. Failure of the Contractor to submit the required supplementary small business participation information may result in delays in processing progress payments.

SMALL BUSINESS PROGRAM REQUIREMENTS

It is the policy of the Board of Commissioners, Hamilton County, Ohio (“County”) that Small Business Enterprises (“SBE”), defined as Small Business Concerns by the Federal Small Business Administration (“SBA”), have equal opportunities to participate in the performance of Trade Contracts on the project noted in this solicitation (“Project”).

The size requirements of the SBA, as amended, apply to this solicitation. **All Bidders must comply with applicable Hamilton County requirements to ensure that Small Business Enterprises have equal opportunities to compete for and perform on Trade Contracts.** Hamilton County and its Prime Contractors shall not discriminate on the basis of race, color, national origin, creed, disability or gender in the award and performance of Trade Contracts.

Prime Contractors seeking to participate on this Project agree to ensure that SBEs have the equal opportunity to participate in the performance of Trade Contracts. A Prime Contractor submitting a bid or proposal on this Project (“Bidder”) is asked to make good faith efforts to meet or exceed the goal for SBE participation. The County encourages Bidders to aspire to meet or exceed the SBE participation goal for this Project.

In order to assure equal opportunity for SBE participation, **each Bidder must submit the SBE Goal Compliance Plan with its bid. Failure to submit the SBE Goal Compliance Plan with the bid and other documentation that may be requested may result in rejection of the bid.**

In order to evaluate Small Business Participation, all Bidders are to submit the forms included with Appendix D with their bid. **These forms are not intended to be exclusive or exhaustive, and the Bidder should attach additional sheets, as necessary, to fully explain its good faith efforts in accordance with the requirements of The Hamilton County Small Business Program.**

This Appendix D supersedes and is controlling over any possible conflicting information in any of the other appendices (A – C) of the Hamilton County Small Business Program

SBE GOAL COMPLIANCE PLAN

CONTENTS INCLUDE:

1. SBE Goal Compliance Plan Instructions
2. Cover Page
3. SBE Goal Compliance Plan - Parts A, B, C, and D

**HAMILTON COUNTY
SBE GOAL PROGRAM
COMPLIANCE PLAN
INSTRUCTIONS**

Each Bidder shall submit a SBE Goal Compliance Plan with its Bid. The SBE Goal Compliance Plan consists of the signed Cover Sheet and Parts A, B, C, and D. Please direct any questions regarding preparation of the SBE Goal Compliance Plan to Hamilton County's Director of Small Business Development.

How To Complete the SBE Goal Compliance Plan:

Complete, sign and date the SBE Goal Compliance Plan Cover Sheet

1. Complete the Part(s) per the instructions applicable to the Bidder:
 - A. PART A instructions must be followed by:**
 - Bidders who are SBEs who meet the Participation Goal without the use of SBE subcontractor/suppliers.
 - Bidders who are a Joint Venture which include a SBE and meet the Participation Goal without the use of SBE subcontractor/suppliers.
 - B. PART B instructions must be followed by:**
 - Bidders who will meet the Participation Goal by subcontracting with SBE subcontractor/suppliers.
 - Bidders who are SBE Joint Ventures which include and only meet the Participation Goal with the use of SBE subcontractor/suppliers.
 - C. PART C instructions must be followed by:**
 - Bidders who do not meet the Participation Goal but seek a partial or total exemption and have exercised good faith efforts to meet the Participation Goal.
 - D. PART D instructions must be followed by:**
 - Bidders who do not meet the Participation Goal but seek exemption because the Bidder will perform the work of the entire Trade Contract with its own forces, without the use of subcontractors, and by using materials, supplies or equipment in Bidder's existing inventory or obtained pursuant to existing contracts.

SBE GOAL COMPLIANCE PLAN

COVER PAGE

Project Name: _____

Project Solicitation Number: _____

SBE Participation Goal indicated in the solicitation: _____% Date: _____

Bidder Name: _____

Contact Person: _____

Telephone No.: _____ Fax No.: _____

E-mail Address: _____

Address: _____

City: : _____ State: _____ Zip Code: _____

Total Base Bid Price \$_____ Total SBE Participation \$_____ and _____%

THIS PLAN MUST BE SIGNED AND SUBMITTED WITH THE BID DOCUMENTS.

I certify that the information included in this SBE Goal Compliance Plan is true and complete to the best of my knowledge and belief. I further understand and agree that this SBE Goal Compliance Plan shall become a part of my Trade Contract with Hamilton County.

Name and Title of Authorized Representative (Print)

Signature

Date

SBE GOAL COMPLIANCE PLAN

Part A: SBE Prime Contractor and Joint Ventures

If you are a SBE Prime Contractor or a Joint Venture which includes a SBE and you meet the Participation Goal without the use of subcontractor/suppliers, disclose the level of SBE participation here expressly providing the dollar amount, percentage, and scope of work of the qualifying SBE prime or venture(s).

BIDDER INFORMATION:

1. **Bidder is an SBE:** yes / no (circle answer). If yes, complete the following:

Total Base Bid Price \$ _____

Percentage of work to be performed
By Bidder without subcontractor/suppliers: _____

2. **Bidder is a SBE Joint Venture:** yes / no (circle answer). If yes, complete the following:

Name of SBE participating in Joint Venture: _____

Address of SBE: _____

City: _____ State: _____ Zip: _____

Contact Person: _____ Telephone No.: _____

Description of Work: _____

Total Base Bid Price \$ _____

Percentage of SBE ownership in Joint Venture _____ %
(Copy of signed Joint Venture Agreement to be submitted to the Construction Manager
within one business day, upon request)

Small Business Program – Appendix D6

Part B: Bidders who will meet the Participation Goal by subcontracting with SBE subcontractor/suppliers
--

1. All Bidders who will meet the Participation Goal, in whole or in part, by subcontracting with SBE subcontractor/suppliers shall disclose the identity of the SBE subcontractors/suppliers who are to be utilized in the execution of this Trade Contract. For each identified SBE subcontractor/supplier, the Bidder must submit a Letter of Intent (LOI), within 3 business days of when requested by the Construction Manager. Bidders who meet the balance of the Participation Goal because they are a SBE Joint Venture, which includes SBE subcontracting must also complete the information requested in Paragraph 2 of Part A.

SUBCONTRACTOR/SUPPLIER INFORMATION: (Attach additional sheets if necessary)

Name of SBE subcontractor/supplier: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Contact Person: _____ **Telephone No.:** _____

Amount of Subcontract: \$ _____ **(%) of Trade Contract:** _____

Description of Work: _____

Name of SBE subcontractor/supplier: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Contact Person: _____ **Telephone No.:** _____

Amount of Subcontract: \$ _____ **(%) of Trade Contract:** _____

Description of Work: _____

Name of SBE subcontractor/supplier: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Contact Person: _____ **Telephone No.:** _____

Amount of Subcontract: \$ _____ **(%) of Trade Contract:** _____

Description of Work: _____

Small Business Program – Appendix D7

Part C: Bidders who do not meet the Participation Goal but seek a partial or total exemption and have exercised good faith efforts to meet the Participation Goal
--

Bidders who do not meet the Participation Goal but seek an exemption, in whole or in part, and have exercised good faith efforts to meet the Participation Goal must submit the following information.

1. Bidders who partially meet the Participation Goal by subcontracting with SBE subcontractor/suppliers shall disclose in Part B the identity of the SBE subcontractors/suppliers who are to be utilized in the execution of this Trade Contract. For each identified SBE subcontractor/supplier, the Bidder must submit a Letter (LOI), see D13-D15. If Bidder is seeking a total exemption, please skip this Paragraph and submit the information required by Paragraph 2 below only.
2. All Bidders who seek a partial or total exemption and the Bidder has exercised good faith efforts to meet the Participation Goal shall provide the following information:
 - A. Has the Bidder defined the elements of the work proposed to be performed by SBEs in order to increase the likelihood of achieving the Participation Goal?
Yes_____ No_____
 - B. Has the Bidder contacted Hamilton County's Director of Small Business Development to ascertain the availability of SBE subcontractor/suppliers in those areas?
Yes_____ No_____
 - C. Has the Bidder sent written notice to every SBE on the County's SBE list for those specific scopes of work identified by the Bidder for subcontracting opportunities?
Yes_____ No_____
 - D. Was the written notice sent not less than five (5) business days prior to the Bid opening date?
Yes_____ No_____
 - E. Did the notice contain information on the plans, specifications and scope of work, and bidding procedures, including the deadline for submission of quotes?
Yes_____ No_____
 - F. If a SBE has responded affirmatively in writing, is the Bidder able to document, the reasons why agreements were not reached with the SBE, including written explanation for rejection of SBE proposals?
Yes_____ No_____
 - G. Did the Bidder attend a pre-bid conference scheduled by the County to inform SBEs of subcontracting opportunities under a given solicitation?
Yes_____ No_____

Small Business Program – Appendix D8

H. Did the Bidder assist SBE subcontractor/suppliers with bonding, insurance, or financing?

Yes_____

No_____

I. Did the Bidder seek the assistance of Hamilton County's Director of Small Business Development in contacting SBEs?

Yes_____

No_____

Small Business Program – Appendix D9

Part D: Bidders who seek to perform the work of the entire Trade Contract with their own work force, without the use of subcontractors, and using materials, supplies or equipment in Bidder's existing inventory or obtained pursuant to existing contracts.

Bidders who do not meet the Participation Goal but seek an exemption because the Bidder will perform the work of the entire Trade Contract with its own work force, without the use of subcontractors, and by using materials, supplies or equipment in Bidder's existing inventory or obtained pursuant to existing contracts must submit the following information. Bidder must demonstrate that use of subcontractor/suppliers is not the Bidder's normal business practice.

The following are recent projects similar in size and scope to this Project that the Bidder has completed with its own work force, without the use of subcontractors, and by using materials, supplies or equipment in Bidder's existing inventory or obtained pursuant to existing contracts without the use of any subcontractor/suppliers. **Bidder must provide information for at least three projects.**

PROJECT 1:

Name of the Project: _____

Name of the Project Owner: _____

Owner Contact Person and Phone Number: _____

Description of Work Performed: _____

Bidder's Contract Amount: _____ Construction Period (Dates): _____

PROJECT 2:

Name of the Project: _____

Name of the Project Owner: _____

Owner Contact Person and Phone Number: _____

Description of Work Performed: _____

Bidder's Contract Amount: _____ Construction Period (Dates): _____

PROJECT 3:

Name of the Project: _____

Name of the Project Owner: _____

Owner Contact Person and Phone Number: _____

Description of Work Performed: _____

Bidder's Contract Amount: _____ Construction Period (Dates): _____

**SBE PROGRAM
FORMS AND ATTACHMENTS**

CONTENTS INCLUDE:

1. Sample Letter to Solicit SBE subcontractor/suppliers (1 page)
2. Sample Log of Contacts (1 page)
3. Letter of Intent (LOI) (3 pages including instructions)
4. Request for Change to the SBE Goal Compliance Plan (3 pages including instructions)

Small Business Program – Appendix D11

SAMPLE LETTER TO POTENTIAL SUBCONTRACTOR/SUPPLIER FROM PRIME CONTRACTOR

_____ is soliciting Small Business participation for the following Project.

Name of Project: _____

Project Solicitation Number: _____

Pre-bid Conference (if applicable):

Date/Time: _____ Location: _____

Bids due: Date/Time: _____ Location: _____

*Bidders may purchase bid documents from _____ (insert name and address, and telephone number of construction manager). *Bid Documents may be reviewed at (add names and contact information):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

The Work on this Project includes the following:
(Please list work areas that pertain to the subcontractors/suppliers expertise)

- | | |
|---|---|
| <input type="checkbox"/> Asbestos Abatement | <input type="checkbox"/> HVAC |
| <input type="checkbox"/> Carpentry | <input type="checkbox"/> Insulation |
| <input type="checkbox"/> Carpeting | <input type="checkbox"/> Lab and Field Testing Services |
| <input type="checkbox"/> Concrete | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Demolition Services | <input type="checkbox"/> Masonry |
| <input type="checkbox"/> Doors and Frames | <input type="checkbox"/> Millwork |
| <input type="checkbox"/> Drilling | <input type="checkbox"/> Painting |
| <input type="checkbox"/> Drywall | <input type="checkbox"/> Paving and Resurfacing |
| <input type="checkbox"/> Electrical | <input type="checkbox"/> Plumbing |
| <input type="checkbox"/> Excavation Services | <input type="checkbox"/> Roofing |
| <input type="checkbox"/> Fabricated Steel | <input type="checkbox"/> Stone |
| <input type="checkbox"/> Flooring | <input type="checkbox"/> Tile |
| <input type="checkbox"/> Glazing Services | <input type="checkbox"/> Weather and Waterproofing |
| <input type="checkbox"/> Hardware | <input type="checkbox"/> Welding |
| <input type="checkbox"/> Heavy Construction Equipment | <input type="checkbox"/> Windows |
| <input type="checkbox"/> Other _____ | |

Contact our office for detailed information on the scopes of work being subcontracted and the relevant terms and conditions of the contract.

Please contact: _____ at _____ or _____
(Name) (Telephone) (Fax)

All quotations MUST be received by (Time and Date): _____

**LOG OF CONTACTS
FOR SOLICITING SBE SUBCONTRACT PARTICIPATION**

Documentation of contacts must be submitted if SBE Participation Goal was not achieved.
Duplication of this form or the format of this form is acceptable for documentation of contacts.

Please use the attached log to document all conversations and contacts regarding the solicitation of prospective subcontractor/suppliers including responses to phone calls, letters, and advertisements.

THE FOLLOWING FIRMS WERE NOTIFIED OF SUBCONTRACTOR/SUPPLIER OPPORTUNITIES:

NAME OF SBE SUBCONTRACTOR/ SUPPLIER/AGENCY	DATE WRITTEN NOTICE WAS SENT AND METHOD (LETTER/FAX)	SCOPE OF WORK SOLICITED	DID SBE SUBMIT WRITTEN RESPONSE? (Y/N)	IF SBE RESPONDED, REASON AGREEMENT WAS NOT REACHED

BIDDER: _____

PROJECT NAME: _____

PAGE ____ OF ____

**INSTRUCTIONS FOR LETTER OF INTENT (LOI)
BETWEEN PRIME CONTRACTOR AND SBE SUBCONTRACTOR/SUPPLIER**

The following Letter of Intent (LOI) is to be used by Prime Contractors and their SBE subcontractor/suppliers. Signed and notarized LOIs between the Bidder and the SBE subcontractor/suppliers must be submitted within one (1) business day of request from the Project's Construction Manager. The LOI must be submitted on this form. Submit a separate form for each SBE subcontractor/supplier.

Any changes to the SBE Goal Compliance Plan, including substitution or addition of SBE subcontractor/supplier must be approved by Hamilton County's Director of Small Business Development. LOIs must be submitted prior to the start of work for changes of SBEs in the SBE Goal Compliance Plan.

**LETTER OF INTENT (LOI)
BETWEEN PRIME CONTRACTOR
AND SBE SUBCONTRACTOR/SUPPLIERS
(PAGE 1 OF 2)**

Prime Contractor: _____

Address: _____

City _____ State _____ Zip _____

Telephone: _____ Fax: _____ Proposed Contract Amount: \$ _____

Project Solicitation Number: _____

Project Name: _____

Type of Agreement: _____
(Lump Sum/Unit Price/Commodity/Professional Service)

Period of Performance: _____

Name of SBE Subcontractor/Supplier _____

Address: _____

City _____ State _____ Zip _____

Telephone: _____ Fax: _____ Proposed Contract Amount: \$ _____

Description of work to be performed under Subcontract with SBE:

**LETTER OF INTENT (LOI)
BETWEEN PRIME CONTRACTOR
AND SBE SUBCONTRACTOR/SUPPLIERS
(PAGE 2 of 2)**

By signing below, the Prime Contractor and the SBE agree that they intend to enter into a contract by which the Prime Contractor agrees to pay the contract amount and the SBE agrees to perform the work described herein.

Prime Contractor:

Name of Firm _____

By: _____
(Signature)

Print Name _____

Title _____ Date _____

STATE OF _____ COUNTY OF _____

SUBSCRIBED AND SWORN TO before me on the _____ day of _____, 20 ____.

Notary Public

Printed Name of Notary

SBE subcontractor/supplier:

Name of Firm _____

By: _____
(Signature)

Print Name _____

Title _____ Date _____

STATE OF _____ COUNTY OF _____

SUBSCRIBED AND SWORN TO before me on the _____ day of _____, 20 ____.

Notary Public

Printed Name of Notary

REQUEST FOR CHANGE TO THE SBE GOAL COMPLIANCE PLAN

INSTRUCTIONS

No changes to the SBE Goal Compliance Plan are permitted after submittal of the Bid and before the award of the Trade Contract. After Trade Contract award, changes to SBE Goal Compliance Plan can be made with the prior written approval of the Director of Small Business Development. Only the Director of Small Business Development has the authority to approve changes or substitutions, during his/her absence, the Director of Administrative Services shall have this authority.

Submission and Evaluation of Requests

Where a Bidder discovers after award of the Trade Contract that the SBE Goal Compliance Plan must be changed or a substitution must occur, the Bidder must seek in writing the prior approval of the Director of Small Business Development on the attached form. The form must be notarized, and should be submitted to the Hamilton County's Director of Small Business Development.

The written request must state specific reasons for the proposed change or substitution. Sworn statements from the SBE to be substituted stating why it cannot perform on the Project may be submitted to support the request. The facts supporting the request must not have been known nor reasonably should have been known by the Bidder and/or proposed subcontractor/supplier prior to the submission of the SBE Goal Compliance Plan.

The following conditions constitute acceptable reasons for changes:

- Unavailability of subcontractor/supplier after receipt of reasonable notice to proceed;
- Failure to perform the scope(s) of work;
- Financial incapacity;
- Failure to honor bid or proposal price within a reasonable period of time after original submittal;
- Mistake of fact or law about the scope(s) of work where a reasonable price cannot be agreed upon;
- Failure of subcontractor/supplier to meet bonding, insurance, or licensing requirements specified in the solicitation;
- Withdrawal of bid or proposal by subcontractor/supplier;
- When the Director of Small Business Development determines that it is in the best interest of the Program and the County.

Where the reason is a valid mistake or disagreement on the scope(s) of work, the request must document all efforts made by the parties to reach an agreement for a reasonable price for the corrected scope(s) of work.

Good Faith Efforts on Substitutions and Additions of Subcontractor/Suppliers

When a change or substitution of a SBE is requested, the Prime Contractor still must continue to make Good Faith Efforts to meet the goal as submitted in the SBE Goal Compliance Plan.

**PRIME CONTRACTOR
REQUEST FOR CHANGE OF SBE GOAL COMPLIANCE PLAN
(PAGE 1 OF 2)**

DATE: _____ PROJECT SOLICITATION NO.: _____

PROJECT NAME: _____

PRIME CONTRACTOR: _____

TOTAL TRADE CONTRACT PRICE: _____

SBE PARTICIPATION GOAL STATED IN SOLICITATION: _____

ACTUAL SBE PARTICIPATION PRIOR TO PROPOSED CHANGE: _____

SBE PARTICIPATION AFTER PROPOSED CHANGE: _____

The Prime Contractor on the above Project requests approval of the following addition and/or deletion of subcontractor/suppliers as submitted in the SBE Goal Compliance Plan included in the Bid. (Submit a separate form for each proposed change.)

PROPOSED DELETION:

Name of SBE subcontractor/supplier: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Contact Person: _____ **Telephone No.:** _____

Amount of Subcontract: \$ _____ **Percent of Trade Contract:** _____

Description of Work: _____

PROPOSED ADDITION: Attach Good Faith Efforts documentation, if applicable. See preceding page for instructions.

Name of SBE subcontractor/supplier: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Contact Person: _____ **Telephone No.:** _____

Amount of Subcontract: \$ _____ **Percent of Trade Contract:** _____

Description of Work: _____

REASONS FOR REQUESTING CHANGE: Attach supporting documentation as necessary. A statement from the SBE to be deleted stating why it cannot perform on the Project may be submitted to support the request.

**PRIME CONTRACTOR
REQUEST FOR CHANGE OF SBE GOAL COMPLIANCE PLAN
(PAGE 2 OF 2)**

AFFIDAVIT

The above information is true and complete to the best of my knowledge and belief. I further understand and agree that this affidavit shall become a part of my Trade Contract with Hamilton County.

Name and Title (Print): _____

Signature: _____ Date: _____

STATE OF _____ COUNTY OF _____

On the _____ day _____, of 20____, personally appeared and having been duly sworn by me, subscribed to the foregoing affidavit and has stated that the facts stated therein are true and correct.

Notary Public

Printed Name of Notary

For Hamilton County use only:

I approve / disapprove the requested change.

Hamilton County's Director of Small Business Development

Date